

REMARKS

Claims 1, 5 and 27-31 are pending. Claims 1 and 5 are amended. Claims 2-4 and 6-26 are canceled. Claims 27-31 are new. Support for the claim amendments and new claims 27-31 may be found at least, for example, in the specification as originally filed at page 7, paragraphs 2 and 4; page 9, paragraph 2; page 14, paragraphs 2 and 4; and in the claims as originally filed. No new matter has been added.

Rejections under 35 U.S.C. § 102

Claims 1-3 and 5 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Chandler (US Patent 5,468,648). Claims 2-3 are canceled, therefore this rejection is moot with respect to claims 2-3.

Claim 1 requires an assay device for detecting an analyte in a liquid sample. The device comprises a nitrocellulose strip, which is substantially opaque in a dry state and translucent when contacted by the liquid sample. The nitrocellulose strip has an upper surface, a lower surface, and a line printed or deposited on the lower surface. In use, the liquid sample contacts and migrates along the nitrocellulose strip. The line is visible to a user when the nitrocellulose strip is translucent. The line on the nitrocellulose of claim 1 indicates, for example, that a sufficient amount of liquid sample has contacted the assay device. The line may be more definitive than a control line, as the line can be disposed parallel to the direction of sample flow without diminishment, since the line need not be formed by an immunoreaction.

Chandler describes a device comprising a first opposable component including at least one chromatographic medium, and a second opposable component including an absorber. Chandler does not disclose or suggest a device with a nitrocellulose strip having an upper surface, a lower surface, and a line printed or deposited on the lower surface, as required by claim 1. Thus, Chandler does not disclose or suggest every limitation of independent claim 1 and the claims dependent thereto.

Reconsideration and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the above amendments and remarks, the Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Agent would expedite prosecution of the application, the Examiner is urged to contact the undersigned.

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Respectfully submitted,
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